

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED *cto*
04 JAN 27 PM 2:51
U.S. DISTRICT COURT
N.D. OF ALABAMA

TERRY COLAFRANCESCO, an individual;)
COMMUNITY OF CARITAS, a corporation;)
CARITAS OF BIRMINGHAM, a corporation,)
et. al.,)

Plaintiffs,)

v.)

JONATHAN LEVY,)

Defendant.)

CIVIL ACTION NUMBER:

CV-04-RRA-0151-S

NOTICE OF REMOVAL

COMES NOW the Defendant, Jonathan Levy, and files this Notice of Removal of this action from the Circuit Court of Shelby County, Alabama to the United States District Court for the Northern District of Alabama, Southern Division. As grounds hereto, this Defendant shows unto the Court as follows:

BACKGROUND OF THIS ACTION

1. This action was filed on December 18, 2003, in the Circuit Court of Shelby County, Alabama, bearing Civil Action No. CV 03-1521. An Alias Summons and Complaint was filed and issued by the Circuit Court of Shelby County, Alabama on January 16, 2004. True and correct copies of all pleadings and papers contained in the State Court file are attached hereto as Exhibit A.

THE PLAINTIFF

2. The Plaintiff, Terry Colafrancesco, is an individual who is a resident of Shelby County, Alabama. Plaintiff, Community of Caritas, is an Alabama corporation organized and located in Shelby County, Alabama, with its principal place of business in Shelby

County, Alabama. Plaintiff, Caritas of Birmingham, is an Alabama corporation organized and located in Shelby County, Alabama with its principal place of business in Shelby County, Alabama. (Please See Paragraphs 1, 2 and 3 of Plaintiff's Complaint).

THE REMOVING DEFENDANT

3. The Defendant, Jonathan Levy, is an individual who at the time of the commencement of this action was, and currently is, a residence citizen of the State of South Carolina.

GROUND FOR REMOVAL

4. This action is being removed pursuant to 28 USC § 1446 (b) and 28 USC § 1332.

5. This notice of removal is timely filed as it is being submitted within one (1) year from the date of the commencement of this action.

6. This notice of removal has been filed within thirty (30) days of the Defendant's receipt of the notice of the action.

7. A true and correct copy of this Notice of Removal is being served on counsel for the Plaintiff this date.

8. A Notice of Filing Notice of Removal is being filed in the Circuit Court of Shelby County, Alabama.

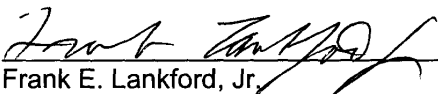
JURISDICTION UNDER 28 USC §1332

9. This action could have originally been brought in the Court under 28 USC § 1332 in that it is a civil action wherein there is a complete diversity of citizenship and the matter in controversy exceeds \$75,000.00, exclusive of interest and costs. (Please See Plaintiff's Complaint).

Wherefore, premises considered, Defendant, Jonathan Levy, prays that the above-styled cause be removed from the Circuit Court of Shelby County, Alabama to the United States District Court for the Northern District of Alabama, Southern Division, according to the statutes in such made and provided.

Done this the 27 day of January, 2004.


M. Keith Gann (GAN006)
Attorney for Defendant, Jonathan Levy


Frank E. Lankford, Jr. (LAN037)

OF COUNSEL:

HUIE, FERNAMBUCQ & STEWART, LLP
Three Protective Center
2801 Highway 280 South
Suite 200
Birmingham, Alabama 35223
(205) 251-1193
(205) 251-1256 (Fax)

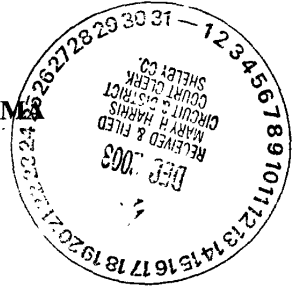
CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above and foregoing upon the following counsel of record by placing a copy of same in the U. S. Mail, properly addressed and postage prepaid, this the 27 day of January, 2004.

Daniel J. Burnick, Esq.
Sirote & Permutt, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727


Of Counsel

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA



TERRY L. COLAFRANCESCO, an individual;)
COMMUNITY OF CARITAS, a corporation;)
CARITAS OF BIRMINGHAM, a corporation; et
al.,)

Plaintiffs,)

v.)

JONATHAN LEVY)

Defendant)

CIVIL ACTION NO. CV 1521

PLAINTIFFS' MOTION TO CONSOLIDATE

COMES NOW the Plaintiffs, Terry L. Colafrancesco, Community of Caritas, and Caritas of Birmingham, and request the Court to enter an Order consolidating this case with that of Terry L. Colafrancesco, Community of Caritas and Caritas of Birmingham v. Phillip J. Kronzer, The Phillip J. Kronzer Foundation for Religious Research, Autodisc, Inc. and Donn Waters, currently pending in the Circuit Court of Shelby County, Alabama, Civil Action No. CV 01-1283. In support thereof, Plaintiffs aver as follows:

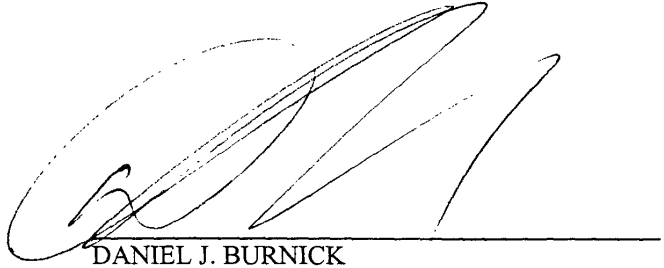
1. The allegations set forth in the claims against Defendant Levy are the same or similar to those set forth in Civil Action No. CV 01-1283.
2. Judicial economy and justice requires that these cases be consolidated for discovery and trial purposes.

WHEREFORE, premises considered, Plaintiffs request that this case be consolidated with Civil Action No. CV 01-1283.


Daniel J. Burnick (Bar No. BUR012)
Attorney for Plaintiffs

OF COUNSEL:

SIROTE & PERMUTT, P.C.
2311 Highland Avenue South
Birmingham, AL 35205
Tel.: (205) 930-5100
Fax: (205) 930-5101



DANIEL J. BURNICK

PLAINTIFFS' ADDRESS:

c/o Sirote & Permutt, P.C.
2311 Highland Avenue South
Post Office Box 55727
Birmingham, Alabama 35255

SERVE DEFENDANT:

Jonathan Levy
37 Royal Point Drive
Hilton Head, SC 29926

AVSD351

CV 2003 001521.00

JUDGE: G. DAN REEVES

ALABAMA JUDICIAL DATA CENTER
CASE ACTION SUMMARY
CIRCUIT CIVIL

IN THE CIRCUIT COURT OF SHELBY COUNTY

TERRY COLAFRANCESCO, ET AL VS JONATHAN LEVY
FILED: 12/18/2003 TYPE: INTENT, INTERFERENCE TYPE TRIAL: JURY TRACK:

 DATE1: CA: CA DATE:
 DATE2: AMT: \$0.00 PAYMENT:
 DATE3:

PLAINTIFF 001: COLAFRANCESCO TERRY

ATTORNEY: BURNICK DANIEL J
 BUR012 2311 HIGHLAND AVENUE SO
 P.O. BOX 55727
 BIRMINGHAM, AL 35255
 (205)930-5192

, AL 00000-0000
 PHONE: (205)000-0000
 ENTERED: 12/17/2003 ISSUED:
 SERVED: ANSWERED:

TYPE:
 JUDGEMENT:

PLAINTIFF 002: COMMUNITY OF CARITAS

ATTORNEY: BURNICK DANIEL J
 BUR012 2311 HIGHLAND AVENUE SO
 P.O. BOX 55727
 BIRMINGHAM, AL 35255
 (205)930-5192

, AL 00000-0000
 PHONE: (205)000-0000
 ENTERED: 12/29/2003 ISSUED:
 SERVED: ANSWERED:

TYPE:
 JUDGEMENT:

PLAINTIFF 003: CARITAS OF BIRMINGHAM

ATTORNEY: BURNICK DANIEL J
 BUR012 2311 HIGHLAND AVENUE SO
 P.O. BOX 55727
 BIRMINGHAM, AL 35255
 (205)930-5192

, AL 00000-0000
 PHONE: (205)000-0000
 ENTERED: 12/29/2003 ISSUED:
 SERVED: ANSWERED:

TYPE:
 JUDGEMENT:

DEFENDANT 001: LEVY JONATHAN
37 ROYAL POINTE PARK

ATTORNEY:

HILTON HEAD, SC 29926-0000
 PHONE: (205)000-0000

ENTERED: 12/17/2003 ISSUED: 12/29/2003 TYPE: CERTIFIED
 SERVED: ANSWERED: JUDGEMENT:

12/18/2003 S & C FILED

12/18/2003 PLTF'S REQ FOR ADMISSIONS FILED

12/18/2003 PLTF'S NOTICE OF DEPD AND REQ FOR PROD OF

12/18/2003 DOCS FILED

12/18/2003 PLTF'S MD TO CONSOLIDATE FILED

12/29/2003 JURY TRIAL REQUESTED (AV01)

12/29/2003 SUMMONS, COMPLAINT, REQ FOR ADMISSIONS & NOTICE OF

12/29/2003 DEPD ISS FOR SVC BY CERT MAIL TO:

12/29/2003 JONATHAN LEVY

12/29/2003 UP TO JUDGE W/ MD TO CONSOLIDATE

EE 12/29/2003

CV 2003 001521.00

VSD352

CV 2003 001521.00
JUDGE: G. DAN REEVES

ALABAMA JUDICIAL DATA CENTER
CASE ACTION SUMMARY CONTINUATION
CIRCUIT CIVIL

IN THE CIRCUIT COURT OF SHELBY COUNTY

TERRY COLAFRANCESCO, ET AL VS JONATHAN LEVY
FILED: 12/19/2003 TYPE: INTENT, INTERFERENCE TYPE TRIAL: JURY TRACK:

DATE1: CA: CA DATE:
DATE2: AMT: \$.00 PAYMENT:

1-13-04 Plaintiffs' Motion to Consolidate is set for hearing on February 18, 2004 at 9:00 a.m.

1/14/04 Notices mailed. 11

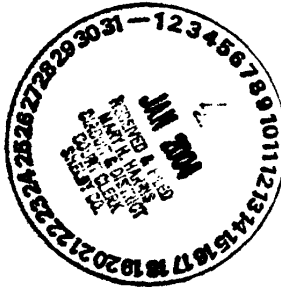
Ms. Mary Hurd
P.O. Box 1810
Columbiana, AL 35051

CERTIFIED MAIL

7000 0520 0017 6819 9836

SFC
*mailed to deft by 1st class
mail on 1-21-04. sp

Refused
RG
SM



Postage
Return
Box C
No A
Vac
No

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits. CVO3-1521

1. Article Addressed to:

Jonathan Levy
37 Bayou Pointe Dr.
Hilton Head, SC 29926

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent
- B. Received by (Printed Name) ☐ Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes
if YES, enter delivery address below: ☐ No

3. Service Type ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D. ☐ Yes
4. Restricted Delivery? (Extra Fee) ☒ Yes

2. Article Number

(Transfer from service label) 7000 0520 0017 6819

PS Form 3811, August 2001

Domestic Return Receipt

2ACPR1-03-P-4081

VS0500

ALABAMA JUDICIAL DATA CENTER
IN THE CIRCUIT COURT OF SHELBY COUNTY

TERRY COLAFRANCESCO, ET AL VS JONATHAN LEVY

BURNICK DANIEL J
2311 HIGHLAND AVENUE SO
P.O. BOX 55727
BIRMINGHAM AL 35255

CASE NUMBER: CV 2003 001521 00
PARTY NUMBER: C001

PLAINTIFFS' MOTION TO CONSOLIDATE IS SET FOR HEARING FEBRUARY 18, 2004
AT 9:00 A.M.

ISSUED ON: 01/13/2004 JUDGE: G. DAN REEVES
SHELBY COURTHOUSE
COLUMBIANA, AL 35051

(01/14/2004) LOL

VS0500

ALABAMA JUDICIAL DATA CENTER
IN THE CIRCUIT COURT OF SHELBY COUNTY

TERRY COLAFRANCESCO, ET AL VS JONATHAN LEVY

LEVY JONATHAN
37 ROYAL POINTE PARK

CASE NUMBER: CV 2003 001521 00
PARTY NUMBER:D001

HILTON HEAD ,SC 29926-0000

PLAINTIFFS' MOTION TO CONSOLIDATE IS SET FOR HEARING FEBRUARY 18, 2004
AT 9:00 A.M.

ISSUED ON: 01/13/2004 JUDGE: G. DAN REEVES
SHELBY COURTHOUSE
COLUMBIANA, AL 35051

(01/14/2004) LOL

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TERRY L. COLAFRANCESCO, an individual;)
COMMUNITY OF CARITAS, a corporation;)
CARITAS OF BIRMINGHAM, a corporation; et
al.,)

Plaintiffs,)

v.)

JONATHAN LEVY)

Defendant)

CIVIL ACTION NO. CV 1521



PLAINTIFFS' NOTICE OF DEPOSITION AND REQUEST FOR PRODUCTION OF DOCUMENTS

To: Jonathan Levy
37 Royal Point Drive
Hilton Head, SC 29926

Please take notice that at the date, time, and location listed below, Defendant will take the testimony by deposition upon oral examination of the party listed below pursuant to the Alabama Rules of Civil Procedure, Rule 30. Such deposition will be taken for the purpose of discovery or for use as evidence in this cause or both purposes, and will continue from time to time until completed. The deposition will be recorded by sound and stenographic means and will be taken before a Court Reporter and Notary Public, who is authorized to administer oaths under the laws of the State of Alabama.

DEPONENT: Jonathan Levy

DATE/TIME: Monday, February 16, 2004 at 9:00 a.m.

LOCATION: The Law Offices of Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, AL 35205

Said Deponent is requested to produce the documents requested herein.

DEFINITIONS

The term "document" as used herein means all writings of any kind, including the originals and all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise (including without limitation correspondence, memoranda, notes, electronic mail, diaries, studies, checks, statements, receipts, returns, summaries, pamphlets, books, prospectuses, interoffice and intraoffice communications, offers, notations of any sort of conversations, telephone calls, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications, changes and amendments of any of the foregoing), graphic or aural records or representations of any kind (including without limitations photographs, charts, graphs, microfiche, microfilm, videotape, recordings, motion pictures and electronic, mechanical or electric records or representations of any kind); and including without limitation tapes, cassettes, computer discs, recordings, and computer software or any part thereof.

1. Please produce any and all written reports from James Rothstein, Jeffrey Pickett, or other individuals who were at Caritas in December 2001.
2. Please produce any and all payments for expenses, wages, compensation or otherwise for any individual at Caritas in December 2001.
3. Please produce any and all videotapes taken at Caritas in December 2001 by you or anyone acting on your behalf, including James Rothstein and Jeffrey Pickett.
4. On the Michael Corbin show, dated September 20, 2003, Phillip Kronzer mentioned that he has prepared a timeline and "made a video of it" in 1998. Please produce any documentation concerning said timeline, including drawings, writings or the videotape.

5. On the Michael Corbin show, dated September 20, 2003, Mr. Kronzer states that he has a videotapes to prove that Barry Lemay was a frontman in the San Jose Diocese. Please produce any and all such videotapes.
6. On the Michael Corbin show of September 20, 2003, Mr. Kronzer states that he has a videotape concerning Congressman Smith conducting a session. Please produce any such videotape.
7. At the same interview, Mr. Kronzer states he has a videotape of Congressman Lantos taking "a poke at Pickett" on camera. Please produce any such videotapes.
8. Please produce any and all emails sent to or received from anyone concerning Caritas of Birmingham, Caritas and/or Terry Colafrancesco.
9. Please produce any and all affidavits received from Patsy Locks indicating that her deposition testimony was not truthful.
10. Please produce any and all correspondence, documents or other letters sent to the Alabama Attorney General's Office.
11. Please produce any and all documents concerning any poltergeists present in the home previously owned by Phillip Kronzer.
12. Please admit that the letter attached hereto as Exhibit "A" is a true and correct copy of a letter sent by Kronzer to Patricia Kaufman.
13. If you deny Number 12, please state each and every fact supporting your denial.
14. Please produce any and all insurance policies, life or otherwise, concerning Mr. Kronzer, naming you and/or Tom Easton as beneficiaries.
15. Please produce any and all documentation concerning Marie Lawler.

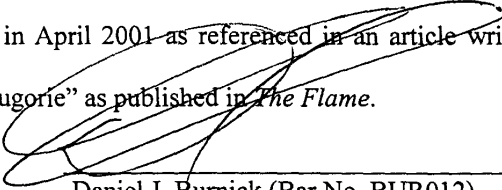
16. Please produce any and all contracts, payments, letters, agreements to cooperate, or otherwise between Kronzer, the Phillip J. Kronzer Foundation for Religious Research and/or its representatives and Maurice Alexander.
17. Please produce any and all documentation involving "a request for urgent appeal by the Raelian Movement" submitted by the Raelian Movement to Juan Miguel Petit, United Nations Geneva, as written by Jonathan Levy.
18. Please produce any and all emails, documentation, correspondence, notes, records or other information concerning contact you or your representatives had from Mr. James Champion.
19. Please produce any and all documentation, correspondence, emails, notes or other writings concerning James Rothstein, including any information concerning the name, address, telephone number or any other information on Mr. James Champion.
20. Please produce any and all documentation, correspondence, letters, emails, cancelled checks, payments or other evidence of money paid to Cali Ruchala by the Phillip J. Kronzer Foundation for Religious Research, Kronzer, Levy or others acting on their behalf.
21. Please produce any and all documentation concerning "Reggie Rothschild".
22. Please produce any and all documentation, including emails, payments, notes, correspondence, statements, affidavits, sworn testimony or any other documents from or to Mike O'Neill.
23. Please produce any and all records concerning Mary Jo Heiland, 507 Sullivan, Wichita, Kansas 67204, 316-833-1505, including any and all payments made to, by or on behalf of Kronzer, the Phillip J. Kronzer Foundation for Religious Research, you or Easton.

24. Please produce any and all payments, loans, transfers of money or other payments to David Hughes, New Jerusalem, or Mr. Hughes' chimney business, including a check dated April 10, 2003 in the amount of \$3,600.00 from the Kronzer Foundation to Mr. Hughes and/or New Jerusalem, drawn on Comerica Bank.
25. Please produce any and all documents from January 1, 2000 to the present date, records of any payments to Patsy or Ed Locks, by you, the Kronzer Foundation or any other individual or entity.
26. Please produce any and all documents concerning any insurance coverage in effect that would cover the claims filed against you by Terry Colafrancesco, the Community of Caritas and Caritas of Birmingham.
27. Please produce from January 1, 2000 to the present date, any payments to Toby Westerman and/or INA Today.com and/or International News Analysis Today? If so, please identify the date of each payment, the amount of each payment, the reason for each payment and please produce any and all documents concerning any such payment.
28. Please produce from January 1, 2000 to the present date, any payments to Wellspring Retreat and Resource Center and/or any of its employees, including Paul Martin? If so, please identify the date of each payment, the amount of each payment, the reason for each payment and please produce any and all documents concerning any such payment.
29. Please produce any and all documents for any and all funds, money or other compensation paid to Michael Corbin and/or 4acloserlook radio show.
30. Please produce any and all documents concerning all payments made to James Rothstein from 1990 through the present date.

31. Please produce any and all documents concerning any payments to Christine Dolan, including the date of the payment, the amount of the payment and the method of payment, i.e., cash, wire transfer or otherwise.
32. Please produce any and all documents concerning Vatican Investigators, Inc.
33. Please produce any and all documentation in your possession concerning James Rothstein and/or Anthony Falco.
34. Please produce any and all documents concerning Carlos Evaristo dealing with Caritas and/or Masonic symbols.
35. Please produce any payments to Don Maliska, including the date of the payment, the amount of the payment, the nature of the payment and please produce any and all documentation concerning payments to Don Maliska.
36. Please produce any payments to Michael James Donnelly, including the date of the payment, the amount of the payment, the nature of the payment and please produce any and all documentation concerning payments to Michael James Donnelly.
37. Please produce any and all payments made to Cali Ruchala, including the date of the payment, the amount of the payment, the nature of the payment and please produce any and all documentation concerning payments to Cali Ruchala.
38. Please produce any and all documentation concerning any payments made to Maurice Alexander, including the date of the payment, the nature of the payment, the amount of the payment and please produce any and all documentation concerning any such payments.

39. Please produce any and all documentation concerning any payments made to Net Five, including the date of the payment, the nature of the payment, the amount of the payment and please produce any and all documentation concerning any such payments.
40. Please produce any and all documentation concerning any payments made to Jeffrey Pickett, including the date of the payment, the nature of the payment, the amount of the payment and please produce any and all documentation concerning any such payments.
41. Please produce any and all documentation concerning any payments made to David Hughes, including the date of the payment, the nature of the payment, the amount of the payment and please produce any and all documentation concerning any such payments.
42. Please produce any and all documentation concerning the investigation into the death of Michael O'Neill.
43. Please produce any documents supporting your position that the Community of Caritas, Caritas of Birmingham and/or Terry Colafrancesco were involved in the death of Michael O'Neill.
44. Please produce any documents, including but not limited to, correspondence, emails, notes or other writings concerning Caritas, Terry Colafrancesco, Stephen Littiken, Anna Littiken, Patrick Flynn, Laura Flynn, Edward Locks, Patricia Locks, Jacqueline O'Neill, Toby O'Brynes and Gail McCausland.
45. Please produce any and all documents, including but not limited to, cancelled checks, wire transfers or receipts for any funds paid to the named Plaintiffs, Stephen Littiken, Anna Littiken, Patrick Flynn, Laura Flynn, Edward Locks, Patricia Locks, Jacqueline O'Neill, Toby O'Brynes, Gail McCausland, or any agent or representative of the named plaintiffs, including but not limited to, Wallace, Jordan, Ratliff & Brandt.

46. Please produce any and all documents concerning any agreements with the named Plaintiffs, Stephen Littiken, Anna Littiken, Patrick Flynn, Laura Flynn, Edward Locks, Patricia Locks, Jacqueline O'Neill, Toby O'Brynes and Gail McCausland, including but not limited to, any correspondence, letters or other documents sent to the named Plaintiffs, Stephen Littiken, Anna Littiken, Patrick Flynn, Laura Flynn, Edward Locks, Patricia Locks, Jacqueline O'Neill, Toby O'Brynes and Gail McCausland seeking reimbursement for payments made by Phillip J. Kronzer, the Phillip J. Kronzer Foundation for Religious Research, Autodisc, Inc. and/or Jonathan Levy to Wallace, Jordan, Ratliff & Brandt and/or any other entity for legal fees and expenses, including reimbursement from any recovery made by the named Plaintiffs, Stephen Littiken, Anna Littiken, Patrick Flynn, Laura Flynn, Edward Locks, Patricia Locks, Jacqueline O'Neill, Toby O'Brynes and Gail McCausland in this lawsuit.
47. Please produce any and all transcripts, tape records, notes or other evidence an interview with Mike and Jackie O'Neill in April 2001 as referenced in an article written by you entitled "Globalization in Medjugorie" as published in *The Flame*.



Daniel J. Burnick (Bar No. BUR012)
Attorney for Plaintiffs

OF COUNSEL:

SIROTE & PERMUTT, P.C.
2311 Highland Avenue South
Birmingham, AL 35205
Tel.: (205) 930-5100
Fax: (205) 930-5101

PLAINTIFFS' ADDRESS:

c/o Sirote & Permutt, P.C.
2311 Highland Avenue South
Post Office Box 55727
Birmingham, Alabama 35255

SERVE DEFENDANT:

Jonathan Levy
37 Royal Point Drive
Hilton Head, SC 29926

October 3, 2002

Phillip J. Kronzer
15 Fillmer Street
Los Gatos, CA 95030

Patricia Kaufman
Coldwell Banker
449 N. Santa Cruz Ave.
Los Gatos, CA 95030

Dear Patricia:

I was the original occupant of 16441 South Kennedy, Los Gatos, California. In 1997 my house was sold to James and Valerie Cigler. In 1999 Mrs. Cigler informed me in no uncertain terms that a malignant evil spirit or poltergeist occupied the house. I agreed to speak with the Ciglers on the condition that I had their permission to tape the conversation that detailed the supernatural activities in the home.

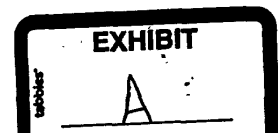
Now I note the home is listed for sale again. I do not believe the Ciglers' problems with the poltergeist were an isolated event. In fact as I told the Ciglers, certain occult activities occurred in that home. I am now certain that these events, which involved my wife, Ardie Kronzer, are the ongoing cause of the unnatural occurrences at 16441 South Kennedy.

Recently I consulted with legal counsel who agreed to research the situation. He located judicial authority in the case of *Stamboy v. Ackley* [Supreme Court of New York, Appellate Division, First Department, 169 A.D.2d 254; 572 N.Y.S.2d 672], which in no uncertain terms suggests that sellers must disclose self acknowledged poltergeist infestations to potential buyers. The reasoning being that since there is no known test or remedies for poltergeists, the owners' acknowledgment is controlling.

Mrs. Cigler, their maid, and children all described on tape to me the existence of strange, inexplicable events at the property including an amorphous white shape that "walked" through walls and doors. There were other phenomena like inexplicable cold drafts and eerie noises. The tape in my possession details the entire matter.

Besides having counsel research the situation, I had my real estate broker agent search the current property disclosures. I was chagrined to learn the Ciglers had not disclosed anything about the poltergeist especially since I know that their broker, Ms. DoRee Kifer, is aware of the problem. I now feel it is my obligation to reveal the entire sordid story about how my former home became tainted by evil.

My wife, Ardie, and I had a perfect marriage and family, of course there were disagreements and problems from time to time as in all families but nothing unhealthy and abnormal until my wife made the acquaintance of occultists at our local church of all



places! At the time, I tolerated what I though was a mere fascination with mysticism by Ardie. Now I know that many of our houseguests from 1989 to 1993 were actually super-naturalists, channelers, and mystics.

The following well known individuals all stayed or visited the home, some on several occasions between 1989 and 1993:

Michael Brown – A paranormal investigator who runs the news service known as *Spirit Daily*.

Marcia Smith – A local cultist and so called visionary

Christina Gallagher with her assistant, Father McGinity – who claims to levitate, reads palms and auras, and conducts séances, essentially a self-described sorceress.

Vassula Ryden – A channeler with an international following who has been condemned by the Vatican

Ivan Dragesevic – A Bosnian seer whose visions were placed under a ban by the local bishop.

Mirijana Soldo – Another Bosnian seeress.

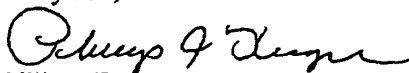
Fr. Bob Hughes – A priest who claims to channel spirits.

Whether you believe in the paranormal or not, several of these individuals have been condemned by the Catholic Church as heretics and worse. It is my firm belief that all this so called mysticism was nothing more than a front for the ultimate evil, Satanism. It is uncontestable that all this activity left behind a malignant presence that has now manifest itself to the Ciglers and perhaps others.

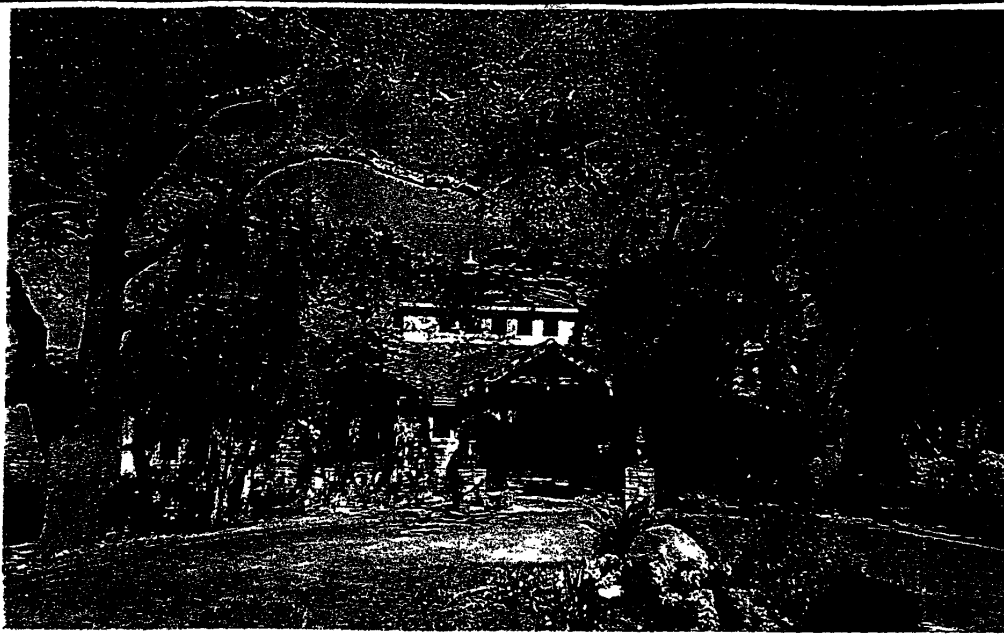
Potential buyers must be warned lest they too become victims of all this evil. I am placing this material in your hands, so that you will at least disclose to others the evil that lurks within the premises at 16441 South Kennedy.

Thank you for your help.

All my best,


Phillip J. Kronzer.

Sweeping City Lights & Hillside Views!



16441 South Kennedy Road, Los Gatos

\$4,200,000

- Gated knolltop setting with tennis court and expansive lawns. Completely remodeled in 1998.
- Spiral staircase foyer with hardwood flooring and soaring ceiling.
- Elegance abounds in step down living room and formal dining room. Both rooms have a large picture window to capture the views.
- Gourmet kitchen! Granite slab counter-tops, six gas burner Thermador range with two ovens, a grill and a warming oven, maple cabinetry, vegetable sink with disposal, second warming oven, wine cooler, walk-in pantry, breakfast bar and large breakfast nook.
- Spacious family room with natural stone fireplace and sliding glass doors open to a tiled patio.
- The downstairs has two offices and a guest bedroom with a full bath. One office features a vaulted ceiling, flagstone fireplace and glass doors opening to a patio. The other office features a Bay window.
- Designer master with vaulted ceilings, corner fireplace, viewing windows and a private balcony. The bath has a claw foot tub, dual shower heads in shower, his/her vanities, walk-in closet and invisible TV that when on is seen through the corner mirror.
- Two children's rooms upstairs have private baths. One room has an alcove/play area, window seat and city lights views.
- Upstairs laundry area and extra storage throughout.
- Downstairs au pair / bonus room with a tiled bath.
- Three car garage plus a work room and storage area.
- Respected Los Gatos schools.

Patricia Kaufman
International President's Elite

(408) 355-1543

Cell (408) 242-6548

449 N. Santa Cruz Ave.
Los Gatos, CA 95030

**COLDWELL
BANKER**

Broker does not guarantee the accuracy of square footage, lot size or other information concerning the condition or features of property provided by the seller or obtained from public records or other sources, and the buyer is advised to independently verify the accuracy of that information through personal inspection and with appropriate professionals. This is not intended as a solicitation if your property is currently listed with another broker.

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

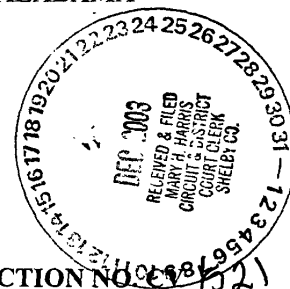
TERRY L. COLAFRANCESCO, an individual;
COMMUNITY OF CARITAS, a corporation;
CARITAS OF BIRMINGHAM, a corporation; et
al.,

Plaintiffs,

v.

JONATHAN LEVY

Defendant

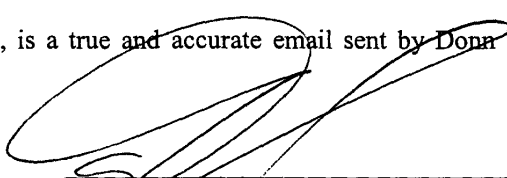


CIVIL ACTION NO. 04-151

PLAINTIFFS' REQUEST FOR ADMISSIONS

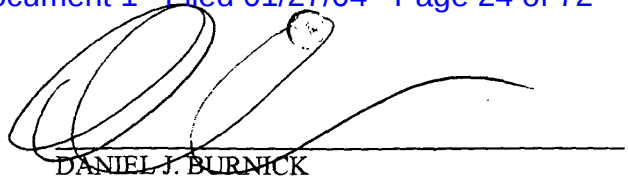
COME NOW the Terry L. Colafrancesco, Community of Caritas and Caritas of Birmingham, and propound the following Request for Admissions to Defendant, Jonathan Levy, as follows:

1. The email attached hereto as Exhibit "A", from Donn Waters to Jonathan Levy, referencing the field angel list, is a true and accurate email sent by Donn Waters and received Jonathan Levy.


Daniel J. Burnick (Bar No. BUR012)
Attorney for Plaintiffs

OF COUNSEL:

SIROTE & PERMUTT, P.C.
2311 Highland Avenue South
Birmingham, AL 35205
Tel.: (205) 930-5100
Fax: (205) 930-5101



DANIEL J. BURNICK

PLAINTIFFS' ADDRESS:

c/o Sirote & Permutt, P.C.
2311 Highland Avenue South
Post Office Box 55727
Birmingham, Alabama 35255

SERVE DEFENDANT:

Jonathan Levy
37 Royal Point Drive
Hilton Head, SC 29926

Subj:
Sheriff's notice

Date:
14/02/2002 02:38:17 GMT Standard Time

From:
waters@ihot.com

To:
jlevy1@cinci.rr.com

CC:
NetFive@aol.com

Sent from the Internet

Jon, The message read as follows

NOTICE - ATTEMPT TO CONTACT 2/11/02
SO#: 02 695802

The sheriff's office is attempting to contact you regarding a civil matter. You may call this office for an appointment with person whose name appears below, or you will be contacted at your residence or work. The appointment is intended for your convenience.

We are not allowed to discuss your personal business over the telephone and cannot discuss it with anyone else but you. COMMENTS: P/S. call come by our office. LOCATION: 55 W Hedding Ave, San Jose CA 65110
TELEPHONE: (408) 299-2005
OFFICE HOURS: 8:00 AM -5:00 PM Monday thru Friday
Laurie Smith,
Sheriff, Santa Clara County By: Serrano Deputy Sheriff

(END)
Donn



Jon,

After you and I talked this PM I checked my voice mail messages and found one

from Phil. In the message he asked me to ensure that I leave the sheriff's notice on the door as originally posted. He wants to have it appear as he never got the message. I did not touch the message. It is still in its original place.

I suspect you and he have discussed this matter after he left me the VM but

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just want to make sure I am doing what you two have agreed on.

Regardless, I will leave the note on the door and simply copy down what it says

and forward the text to you.

Also, I found the name in the Caritas Angels list that I could not recall. Believe it or not: Sharon A. Lay. I discovered her name when I was deduping

it. In fact, Sharon Lay did appear two other times.

Donn

Tired of 56k? Get a FREE BT Broadband connection

<http://www.msn.co.uk/specials/btbroadband>

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TERRY L. COLAFRANCESCO, an individual;)
COMMUNITY OF CARITAS, a corporation;)
CARITAS OF BIRMINGHAM, a corporation; et)
al.,)

Plaintiffs,)

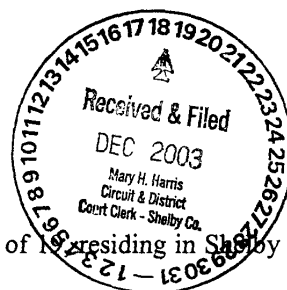
v.)

JONATHAN LEVY)

Defendant)

CIVIL ACTION NO. CV 1521

COMPLAINT



1. Plaintiff, Terry L. Colafrancesco, is an individual over the age of 19, residing in Shelby County, Alabama.
2. Plaintiff, Community of Caritas, is a corporation organized and located in Shelby County, Alabama.
3. Plaintiff, Caritas of Birmingham, is a corporation organized and located in Shelby County, Alabama.
4. Defendant Jonathan Levy is an individual over the age of 19, residing in South Carolina, who has sufficient contacts with the State of Alabama to be a party in Shelby County, Alabama.
5. Defendant Levy has written numerous statements concerning the Community of Caritas, Caritas of Birmingham and Terry Colafrancesco, including but not limited to the following:

- (a) "We're convinced its an absolute sham . . . the time of the lawsuit makes people think hard before they give donations to Caritas and the lawsuit was filed right before Caritas' 'big week for fundraising'".
- (b) Levy has accused Caritas of "using alleged visions of the Virgin Mary and phony papal indulgences as a front to engage in money laundering, tax evasion and smuggling. I am a big supporter of the First Amendment, but money laundering and smuggling have nothing to do with religion and everything to do with greed. . . the sale of phony papal indulgences over the internet. . ."
- (c) "This is the biggest religious fraud since Jim and Tammy Faye Baker. . . the tentacles of Medjugorje reach into money laundering, gun running and support of Croatian Neo-Nazis."
- (d) "Colafrancesco had pronounced a death sentence on [Mike O'Neill] and anyone else who opposed the cult. Colafrancesco had told his followers that Mike would die in a plane crash, make sure Phil is aware that the stakes have increased exponentially."
- (e) Levy issued a press release accusing Caritas of swindling Ms. Hillary out of \$260,000, alleging massive fraud at Caritas, including money laundering, tax fraud and setting up a phony municipality. This suit was voluntarily withdrawn by Hillary before service was ever perfected. It should be noted that Levy was not the attorney of record for Ms. Hillary but rather, Ms. Hillary was represented by Wallace, Jordan, Ratliff & Brandt, LLC.
- (f) Levy has accused Caritas of teaching racism and using child labor for construction and otherwise engaging in dangerous activities.

(g) Levy has alleged that many ex-members were defrauded of their life savings and labored for Colafrancesco without any return.

6. Levy was aware of numerous cartoons and various websites, including Peter K. Miller, Bosnia Cover-Up and Double Cross. In fact, Levy has written requesting transfer of ownership to Phillip Kronzer. Furthermore, Levy requested on at least one occasion that the artist, who drew these cartoons, "Spot Phil a few cartoons from the time being". Attached hereto as Exhibit "A" are various cartoons on these or some of all of these websites.
7. Levy was aware of the fact that Phillip Kronzer, the Kronzer Foundation for Religious Research and Donn Waters had in their possession "field angel" mailing list that was the property of Caritas. Attached hereto as Exhibit "B" is an email from Donn Waters to Jon Levy making reference to the Caritas angels' list in the possession of Donn Waters.

COUNT ONE

8. Plaintiffs adopt and incorporate Paragraphs 1 through 7 as if fully set forth herein.
9. The conduct of Levy, as set forth herein, constitutes intentional interference with a business relationship, in that he attempted to interfere with donations and volunteers working for Plaintiffs. Said conduct was without justification.

WHEREFORE, premises considered, Plaintiffs demand judgment against Defendant Levy for compensatory and punitive damages an amount in excess of \$1,000,000.00, interests and costs.

COUNT TWO

10. Plaintiffs adopt and incorporate Paragraphs 1 through 9 as if fully set forth herein.

11. The conduct of Levy set forth above constitutes defamation, as it has damaged the reputation of the Defendants/Counterclaim/Third Party Plaintiffs. Said conduct was done without justification.

COUNT THREE

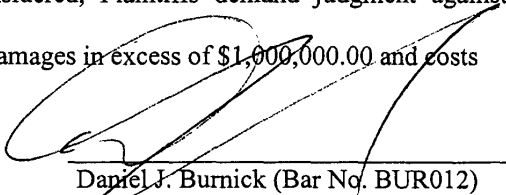
12. Plaintiffs adopt and incorporate Paragraphs 1 through 11 as if fully set forth herein.
13. Defendant Levy has acted in concert with other individuals, including but not limited to, Phillip Kronzer, Donn Waters, Phillip Horbin, Toby Westerman, and various corporations including Kronzer Foundation for Religious Research, among others, in an attempt to intentional interfere with the business of Plaintiffs. Said conduct constitutes conspiracy.

WHEREFORE, premises considered, Plaintiffs demand judgment against Defendant Levy for compensatory and punitive damages in excess of \$1,000,000.00 and costs.

COUNT FOUR

14. Plaintiffs adopt and incorporate Paragraphs 1 through 13 as if fully set forth herein.
15. The conduct of Defendant Levy in acting in concert with other individuals, including but not limited to, Phillip Kronzer, Donn Waters, Phillip Horbin, Toby Westerman, and various corporations including Kronzer Foundation for Religious Research, among others, in an attempt to defame the Plaintiffs. Said conduct constitutes conspiracy.

WHEREFORE, premises considered, Plaintiffs demand judgment against Defendant Levy for compensatory and punitive damages in excess of \$1,000,000.00 and costs



Daniel J. Burnick (Bar No. BUR012)
Attorney for Plaintiffs

OF COUNSEL:

SIROTE & PERMUTT, P.C.

2311 Highland Avenue South

Birmingham, AL 35205

Tel.: (205) 930-5100

Fax: (205) 930-5101

PLAINTIFF DEMANDS TRIAL BY STRUCK JURY IN THIS CAUSE.



DANIEL J. BURNICK

PLAINTIFFS' ADDRESS:

c/o Sirote & Permutt, P.C.

2311 Highland Avenue South

Post Office Box 55727

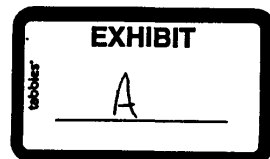
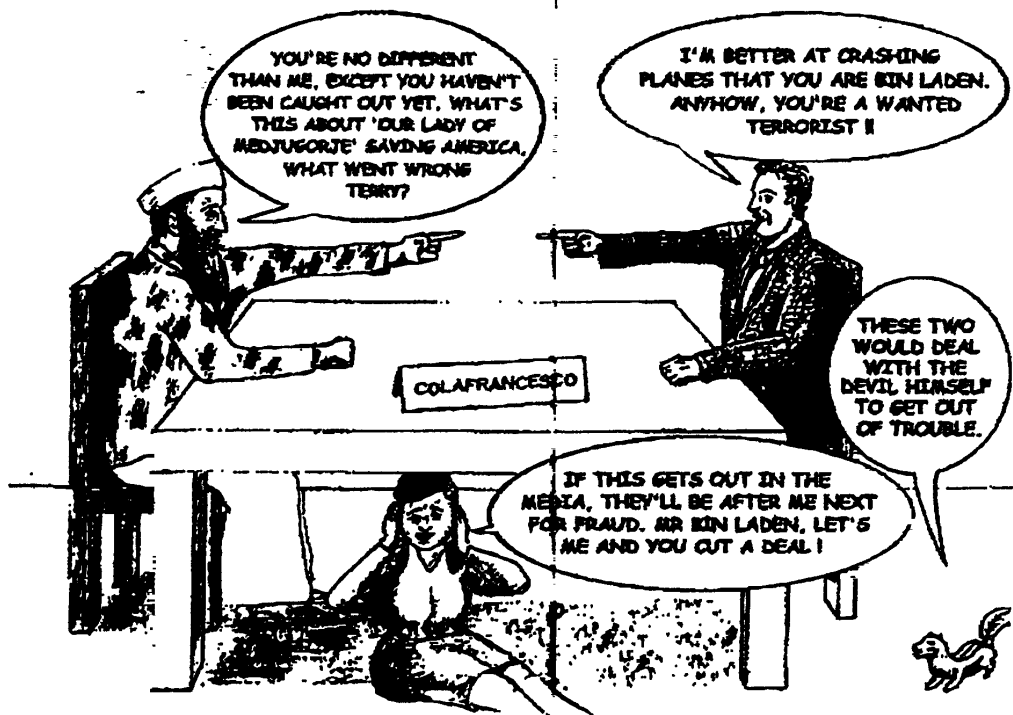
Birmingham, Alabama 35255

SERVE DEFENDANT:

Jonathan Levy

37 Royal Point Drive

Hilton Head, SC 29926



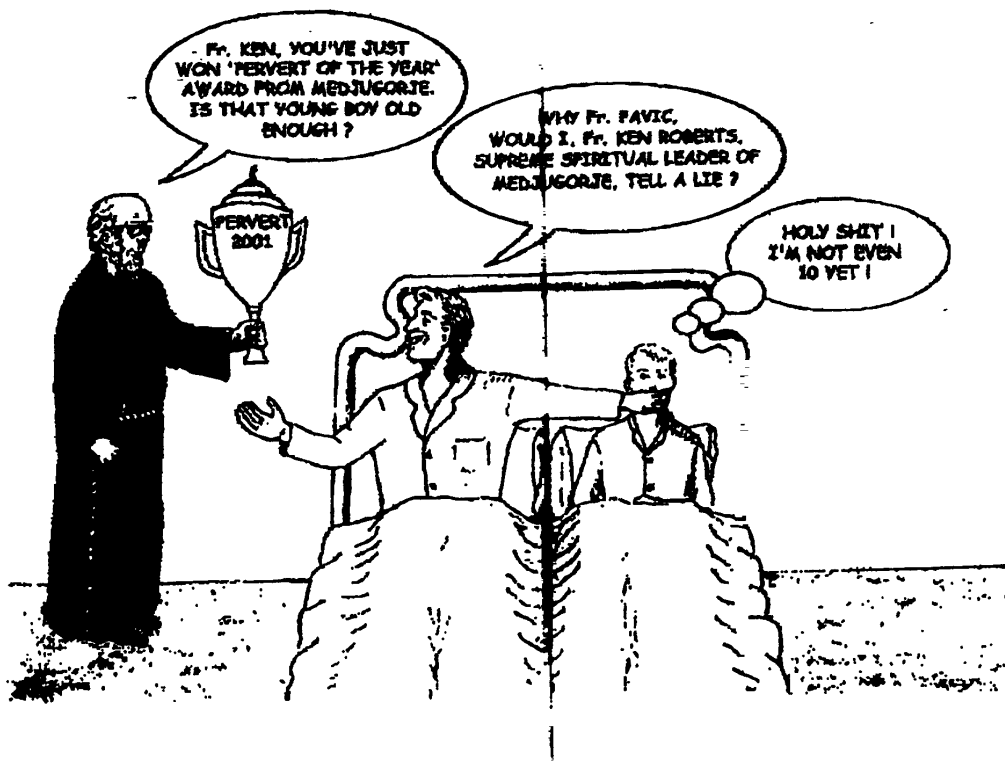






03/26/02 09:36

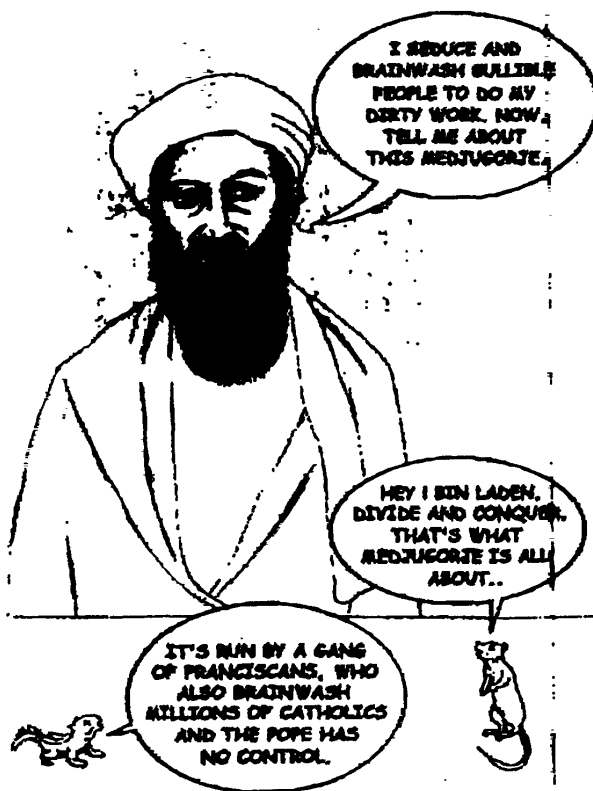
Page 1 of 1



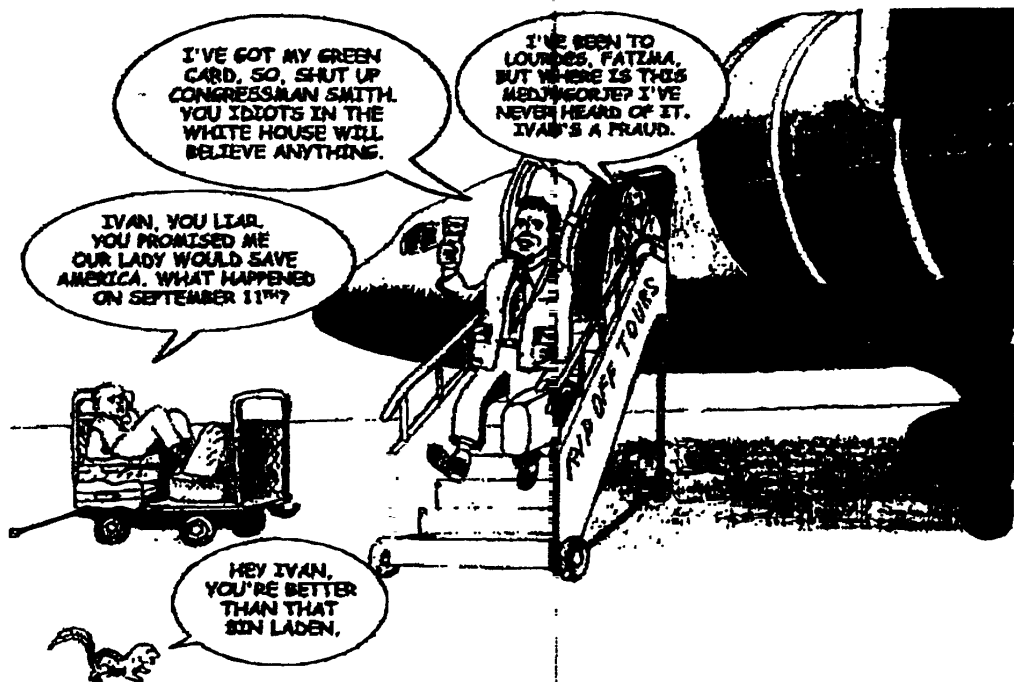
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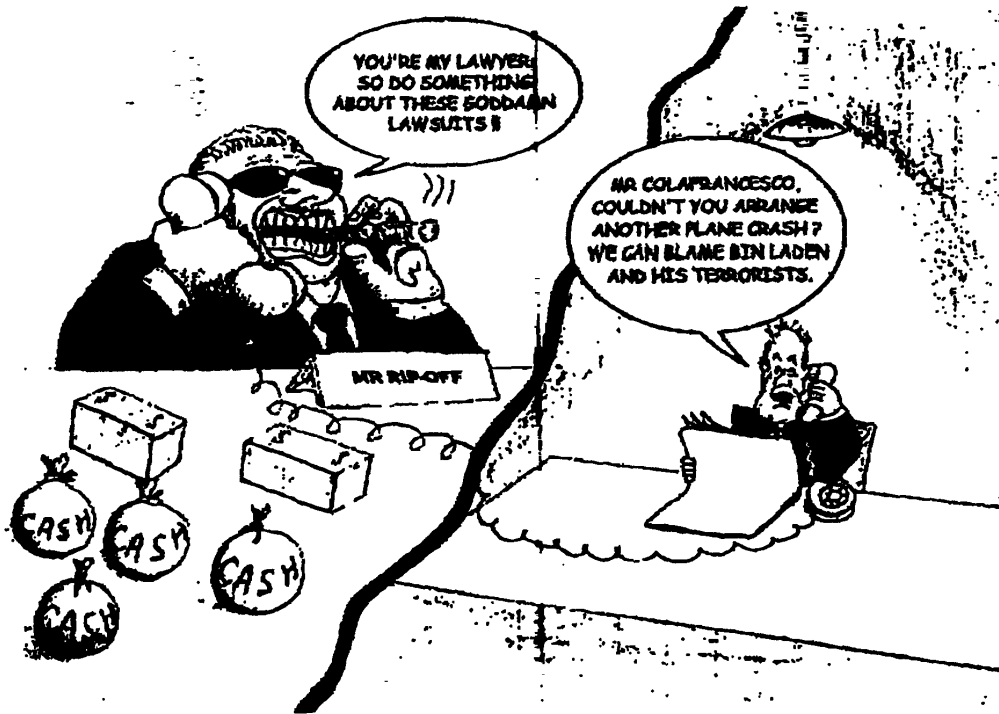
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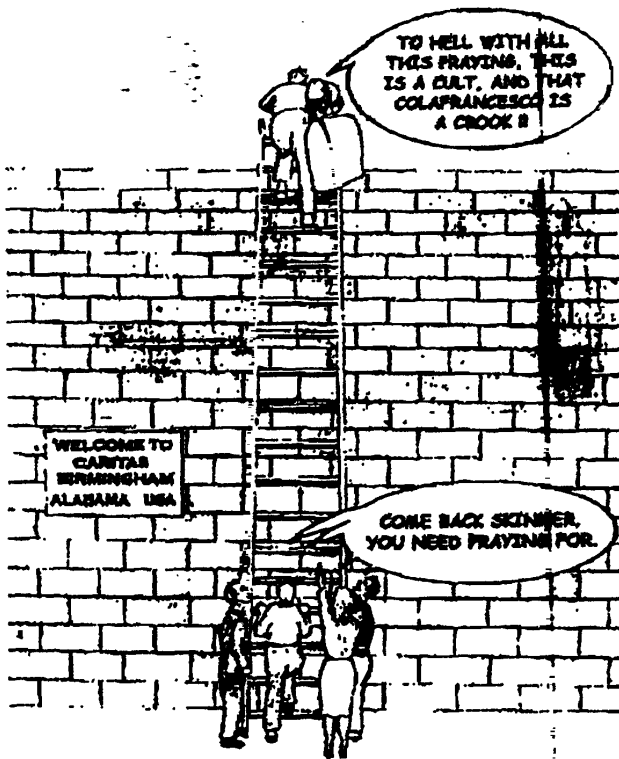
Page 1 of 1

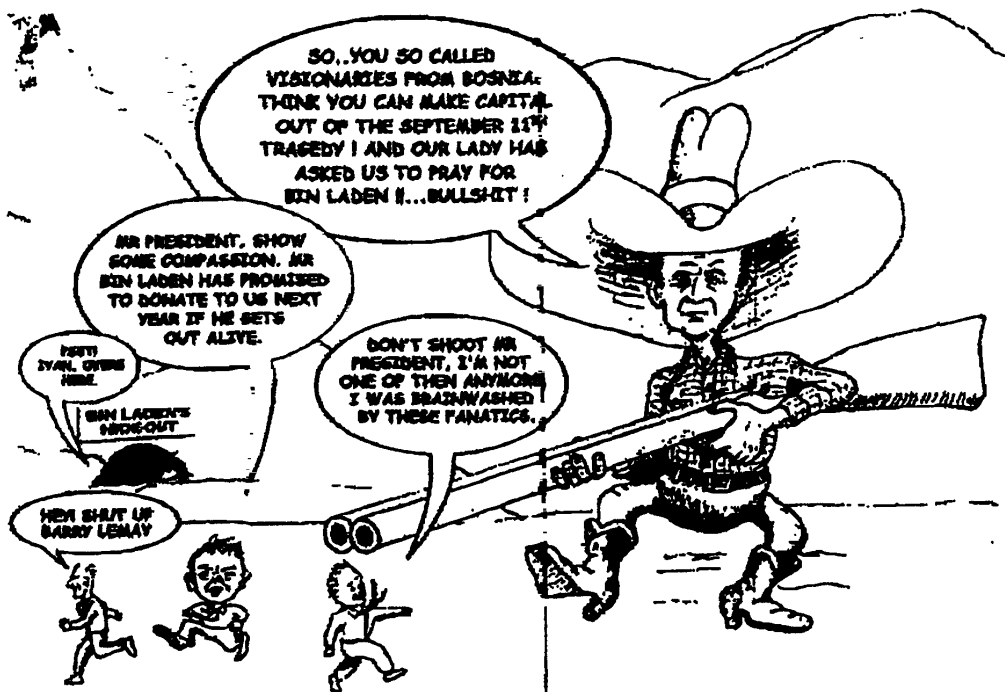






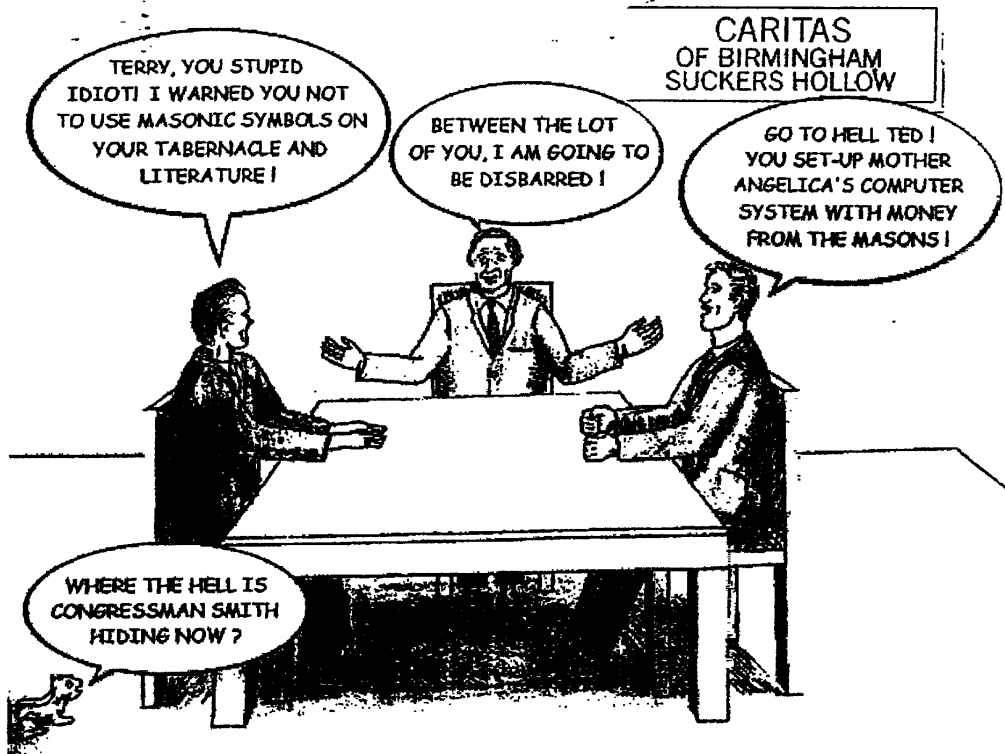






Untitled Document

Page 1 of 1



Subj:

Sheriff's notice

Date:

14/02/2002 02:38:17 GMT Standard Time

From:

waters@ihot.com

To:

jlevy1@cinci.rr.com

CC:

NetFive@aol.com

Sent from the Internet

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We are not allowed to discuss your personal business over the telephone and cannot discuss it with anyone else but you. COMMENTS: P/S. call come by our office. LOCATION: 55 W Hedding Avve, San Jose CA 65110
TELEPHONE: (408) 299-2005
OFFICE HOURS: 8:00 AM -5:00 PM Monday thru Friday
Laurie Smith,
Sheriff, Santal Clara County By: Serrano Deputy Sheriff

(END)

Donn



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from Phil. In the message he asked me to ensure that I leave the sheriff's notice on the door as originally posted. He wants to have it appear as he never got the message. I did not touch the message. It is still in its original place.

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IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TERRY L. COLAFRANCESCO, an individual;
 COMMUNITY OF CARITAS, a corporation;
 CARITAS OF BIRMINGHAM, a corporation; et
 al.,

Plaintiffs,

v.

JONATHAN LEVY

Defendant

CIVIL ACTION NO. CV 1521

SUMMONS

TO: Jonathan Levy
 37 Royal Point Drive
 Hilton Head, SC 29926



You are hereby summoned and required to serve upon Plaintiffs' attorney(s):

Daniel J. Burnick,
 Sirote & Permutt, P.C.
 2311 Highland Avenue
 Birmingham, Alabama

a response to the Complaint which is herewith served
 of this summons upon you, exclusive of the day of
 JUDGMENT BY DEFAULT MAY BE TAKEN
 DEMANDED IN THE COMPLAINT. A signed copy
 the Court.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED
 Procedure:

- ☐ You are hereby commanded to serve this summons
 action upon the defendant.
- ☒ Service by certified mail of this summons is initiated
 pursuant to the Alabama Rules of Civil Procedure.

DATE: _____

Clerk/Reg

7000 0520 0017 6819 9836

Postage	\$
Certified Fee	\$
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Recipient's Name (Please Print Clearly) (To be completed by mailer)
 Jonathan Levy
 Street, Apt. No. or PO Box No.
 37 Royal Point Dr.
 City, State, Zip + 4
 Hilton Head, SC 29926

U.S. Postal Service
 CERTIFIED MAIL RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)

☒ CERTIFIED MAIL IS HEREBY REQUESTED.

Plaintiff's attorney signature

RETURN ON SERVICE

☐ Return receipt of certified mail in this office on _____ (date)

☐ I certify that I personally delivered a copy of the Summons and Complaint to
_____ in _____ County, South Carolina on
_____ (date)

Date

Server's Signature

Address of Server

Type of Process Server

State of Alabama
Unified Judicial System**COVER SHEET**
CIRCUIT COURT - CIVIL CASE

Case Number	2003	15	21				
Date of Filing:							
Judge Code:							
Month	Day	Year					

Form ARCivP-93

Rev. 5/99

(Not For Domestic Relations Cases)

GENERAL INFORMATIONIN THE CIRCUIT COURT OF SHELBY

, ALABAMA

(Name of County)

TERRY COLAFRANCESCO; ET AL.

v.

JONATHAN LEVY

Plaintiff

Defendant

First Plaintiff

☐

Business

☒

Individual

☐

Government

☐

Other

First Defendant

☐

Business

☒

Individual

☐

Government

☐

Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best categorizes your action:**TORTS: PERSONAL INJURY**

- ☐ WDEA - Wrongful Death
- ☐ TONG - Negligence: General
- ☐ TOMV - Negligence: Motor Vehicle
- ☐ TOWA - Wantonness
- ☐ TOPL - Product Liability/AEMLD
- ☐ TOMM - Malpractice - Medical
- ☐ TOLM - Malpractice - Legal
- ☐ TOOM - Malpractice - Other
- ☐ TBFM - Fraud/Bad Faith/Misrepresentation
- ☒ TOXX - Other: Intent. Interference w/ bus. rel'ship
& defamation

TORTS: PROPERTY INJURY

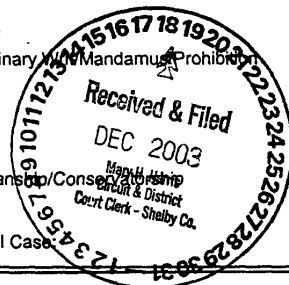
- ☐ TOPE - Personal Property
- ☐ TORE - Real Property

OTHER CIVIL FILINGS

- ☐ ABAN - Abandoned Automobile
- ☐ ACCT - Account & Nonmortgage
- ☐ APAA - Administrative Agency Appeal
- ☐ ADPA - Administrative Procedure Act
- ☐ ANPS - Adults in Need of Protective Services

OTHER CIVIL FILINGS (cont'd)

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- ☐ CVRT - Civil Rights
- ☐ COND - Condemnation/Eminent Domain/Right-of-Way
- ☐ CTMP - Contempt of Court
- ☐ CONT - Contract/Ejectment/Writ of Seizure
- ☐ TOCN - Conversion
- ☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale for Division
- ☐ CVUD - Eviction Appeal/Unlawful Detainer
- ☐ FORJ - Foreign Judgment
- ☐ FORF - Fruits of Crime Forfeiture
- ☐ MSHC - Habeas Corpus Extraordinary/Mandamus/Prohibition
- ☐ PFAB - Protection from Abuse
- ☐ FELA - Railroad/Seaman (FELA)
- ☐ RPRO - Real Property
- ☐ WTEG - Will/Trust/Estates/Guardianship/Conservatorship
- ☐ COMP - Worker's Compensation
- ☐ CVXX - Miscellaneous Circuit Civil Case

**ORIGIN** (check one):F ☒ INITIAL FILINGR ☐ REMANDEDA ☐ APPEAL FROM DISTRICT COURTT ☐ TRANSFERRED FROM OTHER CIRCUIT COURTO ☐ OTHER:**HAS JURY TRIAL BEEN DEMANDED?**☒ YES ☐ NO

Note: Checking "Yes" does not constitute a demand for a jury trial (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

RELIEF REQUESTED:☒

MONETARY AWARD REQUESTED

☐

NO MONETARY AWARD REQUESTED

ATTORNEY CODE:

B U R O 1 2

Date

Signature of Attorney/Party filing this form

MEDIATION REQUESTED:☐

YES

☐

NO

☐

UNDECIDED

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TERRY L. COLAFRANCESCO, an individual;)
COMMUNITY OF CARITAS, a corporation;)
CARITAS OF BIRMINGHAM, a corporation; et)
al.,)

Plaintiffs,)

v.)

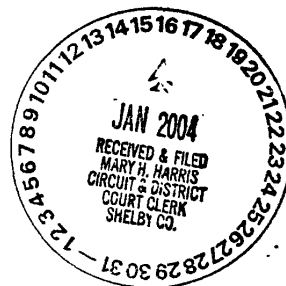
JONATHAN LEVY)

Defendant.)

CIVIL ACTION NO. CV 03-1521

ALIAS SUMMONS

TO: Jonathan Levy
37 Royal Point Drive
Hilton Head, SC 29926



You are hereby summoned and required to serve upon Plaintiffs' attorney(s):

Daniel J. Burnick,
Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, Alabama 35205

a response to the Complaint which is herewith served upon you, within 30 days after the service of this summons upon you, exclusive of the day of service. IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT. A signed copy of your response MUST also be filed with the Court.


TO ANY SHERIFF OR ANY PERSON AUTHORIZED by the Alabama Rules of Civil Procedure:

- [X] You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant.
- [] Service by certified mail of this summons is initiated upon the written request of plaintiff pursuant to the Alabama Rules of Civil Procedure.

DATE: _____

BY: _____
Clerk/Register

☐ CERTIFIED MAIL IS HEREBY REQUESTED.



Plaintiff's attorney signature

RETURN ON SERVICE

☐ Return receipt of certified mail in this office on _____ (date)

☐ I certify that I personally delivered a copy of the Summons and Complaint to
_____ in _____ County, South Carolina on
_____ (date)

Date

Server's Signature

Address of Server

Type of Process Server

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TERRY L. COLAFRANCESCO, an individual;)
COMMUNITY OF CARITAS, a corporation;)
CARITAS OF BIRMINGHAM, a corporation; et)
al.,

Plaintiffs,

v.

JONATHAN LEVY

Defendant

CIVIL ACTION NO. CV 03-1521

COMPLAINT

1. Plaintiff, Terry L. Colafrancesco, is an individual over the age of 19, residing in Shelby County, Alabama.
2. Plaintiff, Community of Caritas, is a corporation organized and located in Shelby County, Alabama.
3. Plaintiff, Caritas of Birmingham, is a corporation organized and located in Shelby County, Alabama.
4. Defendant Jonathan Levy is an individual over the age of 19, residing in South Carolina, who has sufficient contacts with the State of Alabama to be a party in Shelby County, Alabama.
5. Defendant Levy has written numerous statements concerning the Community of Caritas, Caritas of Birmingham and Terry Colafrancesco, including but not limited to the following:

- (a) "We're convinced its an absolute sham . . . the time of the lawsuit makes people think hard before they give donations to Caritas and the lawsuit was filed right before Caritas' 'big week for fundraising'".
- (b) Levy has accused Caritas of "using alleged visions of the Virgin Mary and phony papal indulgences as a front to engage in money laundering, tax evasion and smuggling. I am a big supporter of the First Amendment, but money laundering and smuggling have nothing to do with religion and everything to do with greed. . . the sale of phony papal indulgences over the internet. . ."
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7. Levy was aware of the fact that Phillip Kronzer, the Kronzer Foundation for Religious Research and Donn Waters had in their possession "field angel" mailing list that was the property of Caritas. Attached hereto as Exhibit "B" is an email from Donn Waters to Jon Levy making reference to the Caritas angels' list in the possession of Donn Waters.

COUNT ONE

8. Plaintiffs adopt and incorporate Paragraphs 1 through 7 as if fully set forth herein.
9. The conduct of Levy, as set forth herein, constitutes intentional inference with a business relationship, in that he attempted to interfere with donations and volunteers working for Plaintiffs. Said conduct was without justification.

WHEREFORE, premises considered, Plaintiffs demand judgment against Defendant Levy for compensatory and punitive damages an amount in excess of \$1,000,000.00, interests and costs.

COUNT TWO

10. Plaintiffs adopt and incorporate Paragraphs 1 through 9 as if fully set forth herein.

11. The conduct of Levy set forth above constitutes defamation, as it has damaged the reputation of the Defendants/Counterclaim/Third Party Plaintiffs. Said conduct was done without justification.

COUNT THREE

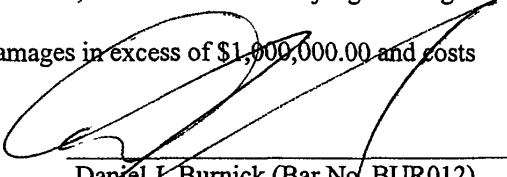
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13. Defendant Levy has acted in concert with other individuals, including but not limited to, Phillip Kronzer, Donn Waters, Phillip Horbin, Toby Westerman, and various corporations including Kronzer Foundation for Religious Research, among others, in an attempt to intentionally interfere with the business of Plaintiffs. Said conduct constitutes conspiracy.

WHEREFORE, premises considered, Plaintiffs demand judgment against Defendant Levy for compensatory and punitive damages in excess of \$1,000,000.00 and costs.

COUNT FOUR

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15. The conduct of Defendant Levy in acting in concert with other individuals, including but not limited to, Phillip Kronzer, Donn Waters, Phillip Horbin, Toby Westerman, and various corporations including Kronzer Foundation for Religious Research, among others, in an attempt to defame the Plaintiffs. Said conduct constitutes conspiracy.

WHEREFORE, premises considered, Plaintiffs demand judgment against Defendant Levy for compensatory and punitive damages in excess of \$1,000,000.00 and costs



Daniel J. Burnick (Bar No. BUR012)
Attorney for Plaintiffs

OF COUNSEL:

SIROTE & PERMUTT, P.C.

2311 Highland Avenue South

Birmingham, AL 35205

Tel.: (205) 930-5100

Fax: (205) 930-5101

PLAINTIFF DEMANDS TRIAL BY STRUCK JURY IN THIS CAUSE.



DANIEL L. BURNICK

PLAINTIFFS' ADDRESS:

c/o Sirote & Permutt, P.C.

2311 Highland Avenue South

Post Office Box 55727

Birmingham, Alabama 35255

SERVE DEFENDANT:

Jonathan Levy

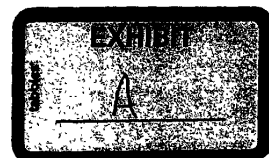
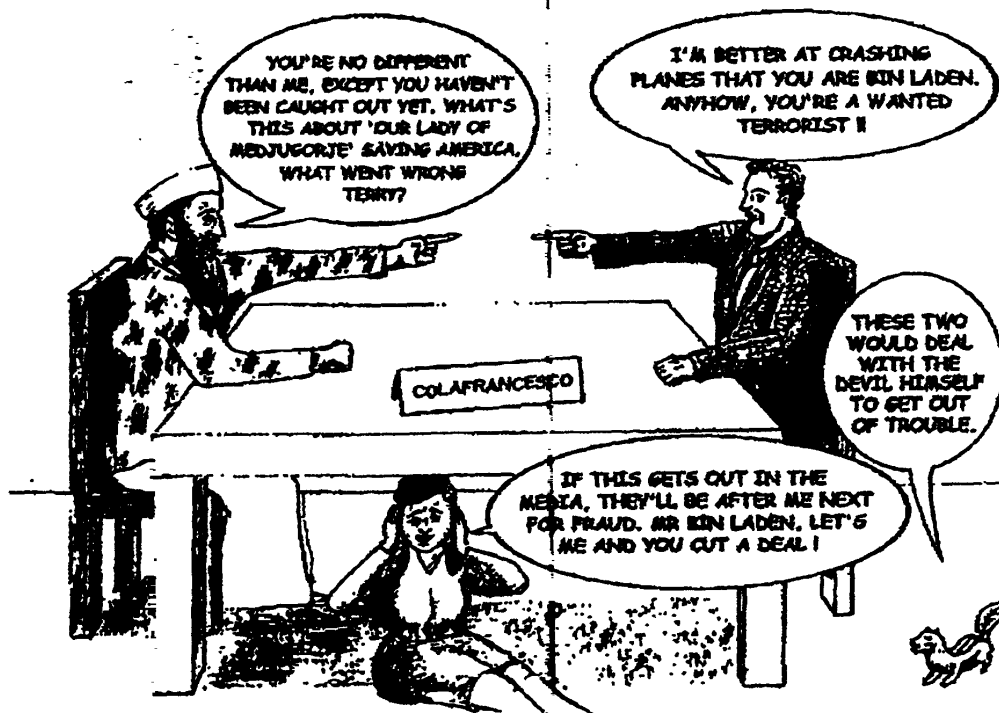
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Hilton Head, SC 29926

03/26/02 09:35

NO.139 P004/019

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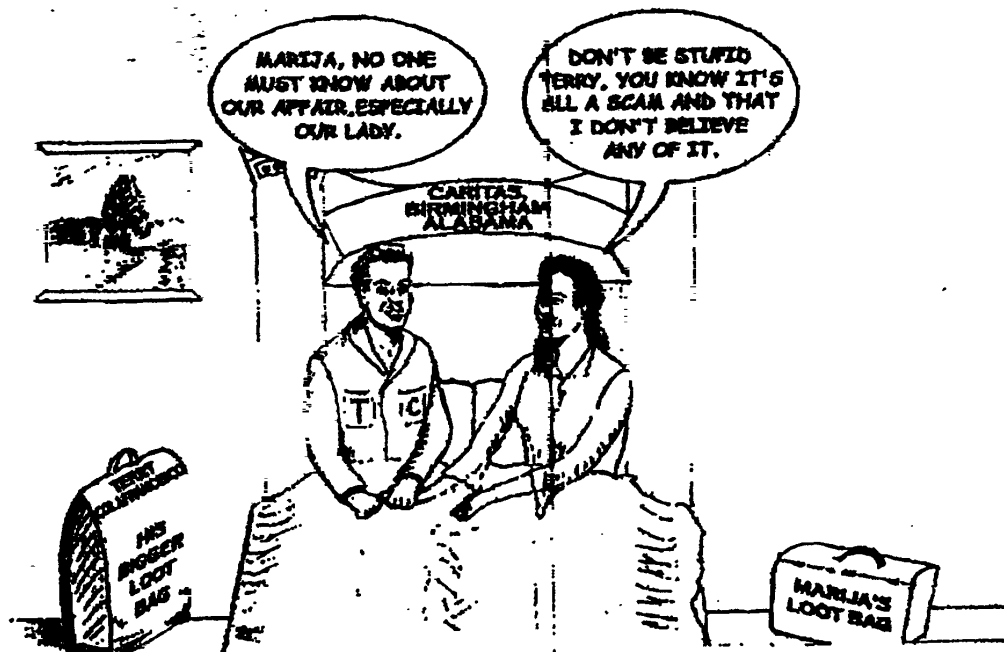
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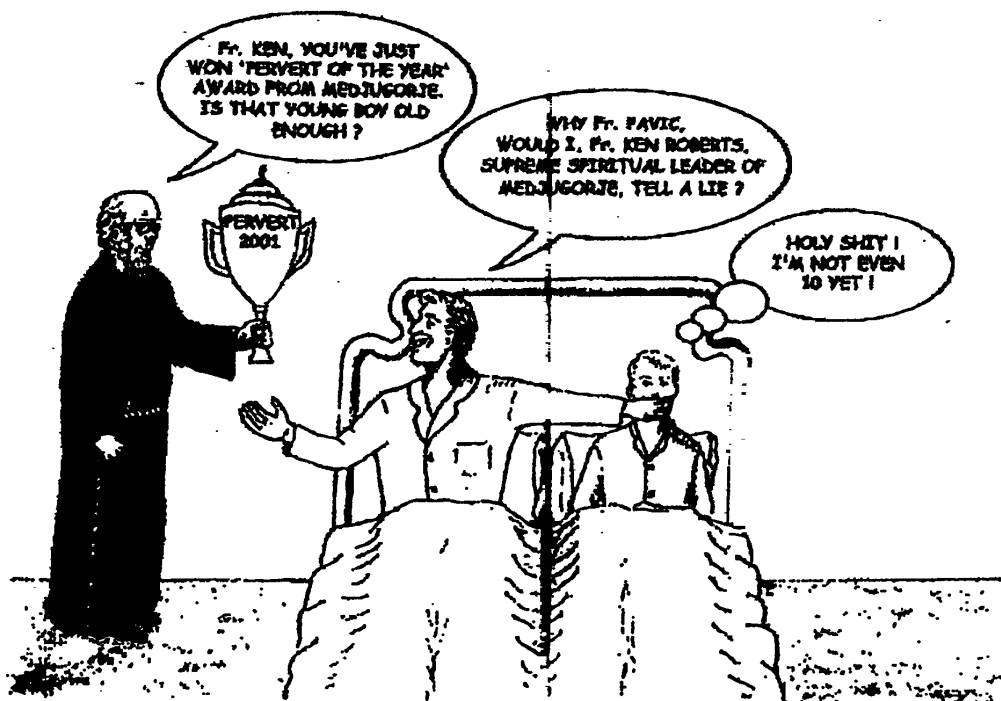
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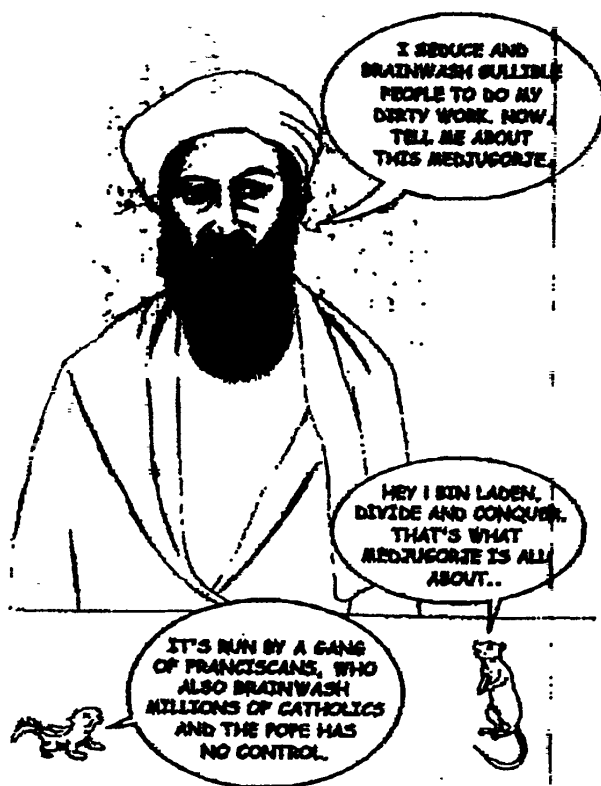
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NO.139 P009/019

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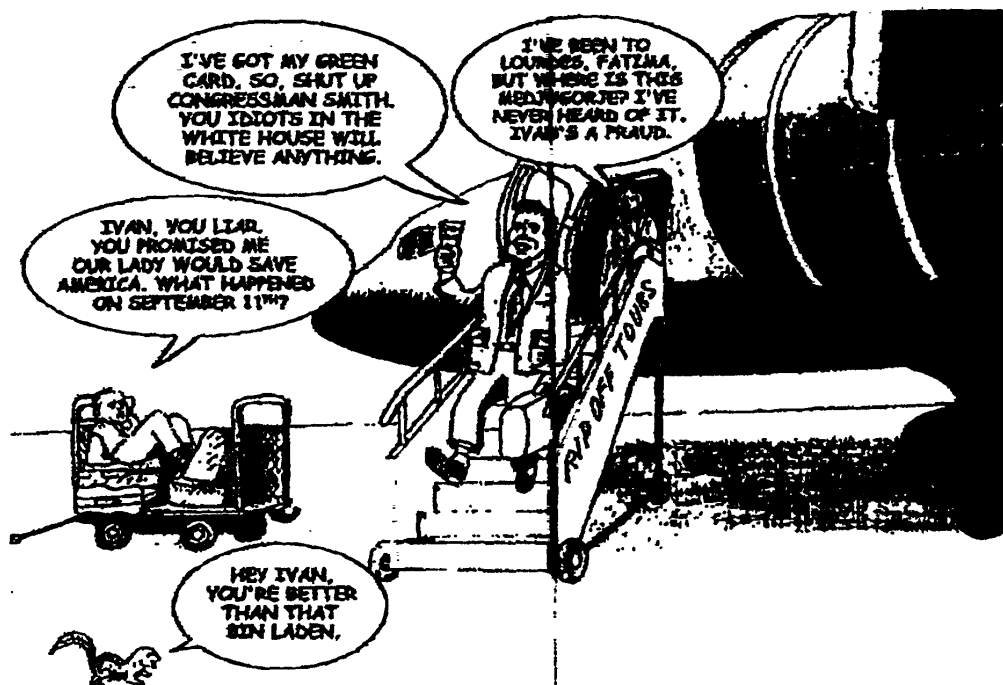
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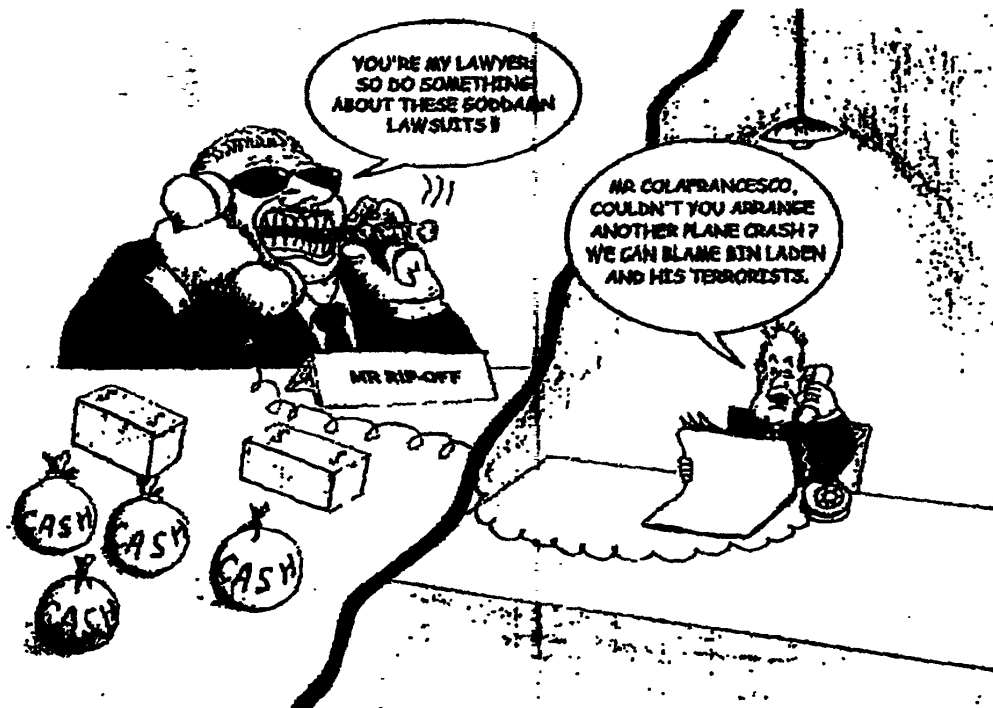
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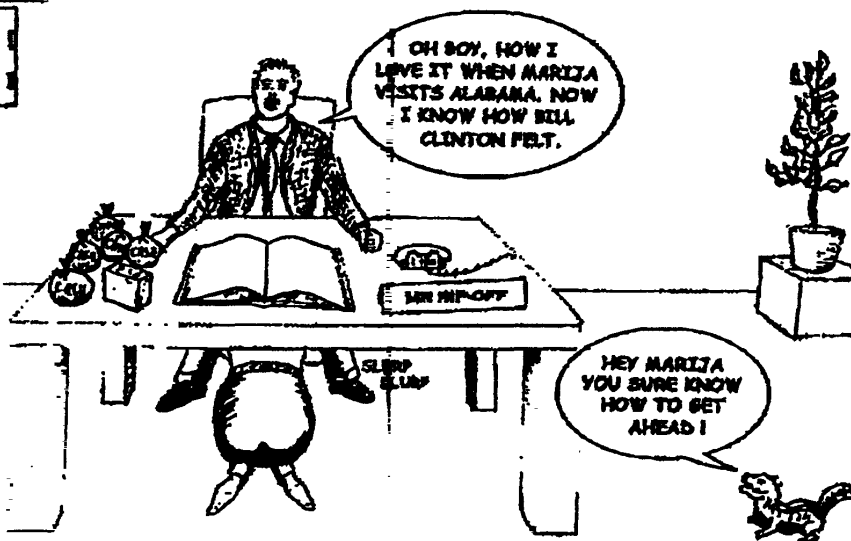
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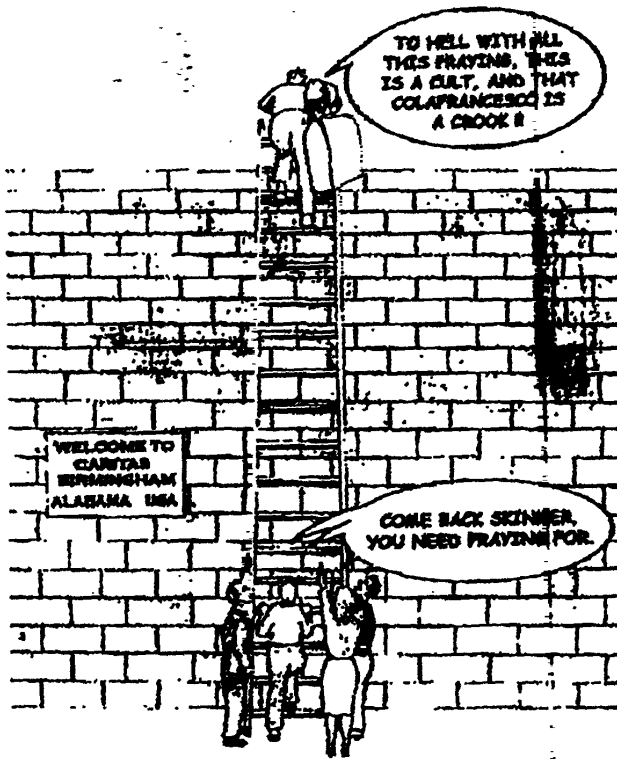
SAFE
FOR SUCKERS
MONEY

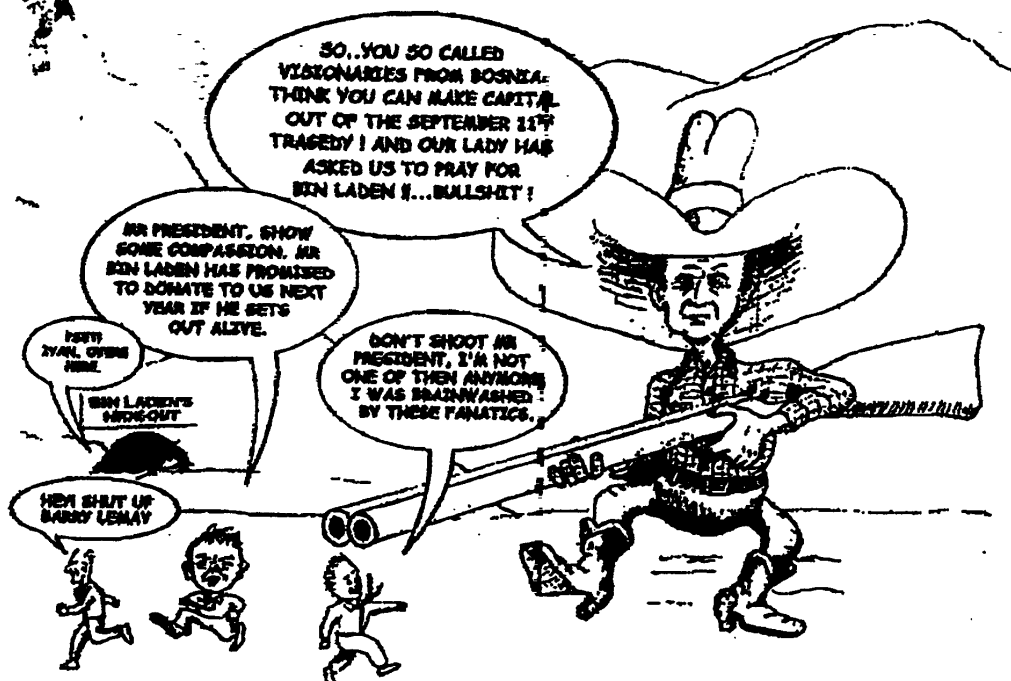
THE CARITAS WHITE HOUSE



03/26/02 09:37

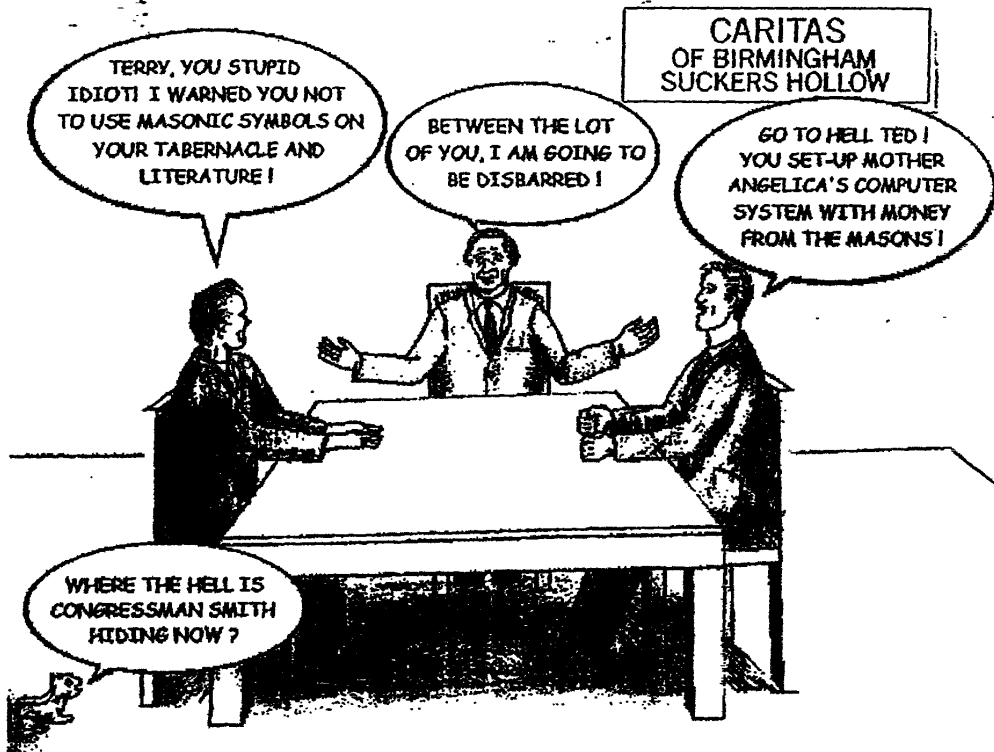
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Untitled Document

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Subj:
Sheriff's notice

Date:
14/02/2002 02:38:17 GMT Standard Time

From:
waters@ihot.com

To:
jlevy1@cinci.rr.com

CC:
NetFive@aol.com

Sent from the Internet

Jon, The message read as follows

NOTICE - ATTEMPT TO CONTACT 2/11/02
SO#: 02 695802

The sheriff's office is attempting to contact you regarding a civil matter. You may call this office for an appointment with person whose name appears below, or you will be contacted at your residence or work. The appointment is intended for your convenience.

We are not allowed to discuss your personal business over the telephone and cannot discuss it with anyone else but you. COMMENTS: P/S. call come by our office. LOCATION: 55 W Hedding Ave, San Jose CA 65110

TELEPHONE: (408) 299-2005

OFFICE HOURS: 8:00 AM -5:00 PM Monday thru Friday

Laurie Smith,

Sheriff, Santal Clara County By: Serrano Deputy Sheriff

(END)
Donn

Jon,

After you and I talked this PM I checked my voice mail messages and found one

from Phil. In the message he asked me to ensure that I leave the sheriff's notice on the door as originally posted. He wants to have it appear as he never got the message. I did not touch the message. It is still in its original place.

I suspect you and he have discussed this matter after he left me the VM but

I

just want to make sure I am doing what you two have agreed on.

Regardless, I will leave the note on the door and simply copy down what it

says

and forward the text to you.

Also, I found the name in the Caritas Angels list that I could not recall. Believe it or not: Sharon A.

Lay. I discovered her name when I was

deduping

it. In fact, Sharon Lay did appear two other times.

Donn

Tired of 56k? Get a FREE BT Broadband connection

<http://www.msn.co.uk/specials/btbroadband>

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TERRY COLAFRANCESCO, an individual;)
COMMUNITY OF CARITAS, a corporation;)
CARITAS OF BIRMINGHAM, a corporation, et)
al.,)

Plaintiffs,)

v.)

JONATHAN LEVY,)

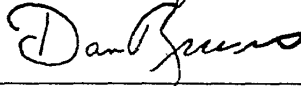
Defendant.)

CIVIL ACTION NO. CV 03-1521

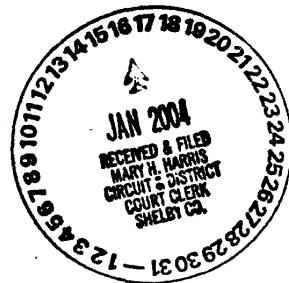
ORDER

The foregoing motion having been presented to me on this the 16th day of January, 2004, said motion is granted and the said Andrew Lehotay is hereby authorized and empowered to execute service of process as prayed.

DONE and ORDERED this 16th day of January, 2004.



Circuit Judge



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TERRY COLAFRANCESCO, an individual;)
COMMUNITY OF CARITAS, a corporation;)
CARITAS OF BIRMINGHAM, a corporation, et)
al.,)

Plaintiffs,)

v.)

JONATHAN LEVY,)

Defendant.)

CIVIL ACTION NO. CV 03-1521

MOTION TO APPOINT SPECIAL PROCESS SERVER

COMES NOW the Plaintiffs, Terry L. Colafrancesco, Community of Caritas and Caritas of Birmingham, and request this Court to allow Andrew Lehotay of Bister Agency, 14 Saltwind Drive, St. Helena Island, South Carolina 29920 to execute service of process of the Complaint on the Defendant and to return service to this Court:

Jonathan Levy, Esq.
37 Royal Point Drive
Hilton Head, SC 29926

Daniel J. Burnick (Bar No. BUR012)
Attorney for Plaintiffs,
TERRY COLAFRANCESCO, ET AL.

OF COUNSEL:

SIROTE & PERMUTT, P.C.
2311 Highland Avenue South
Post Office Box 55727
Birmingham, AL 35255-5727
Tel.: (205) 930-5100
Fax: (205) 930-5101

PLEASE SERVE WITH SUMMONS & COMPLAINT.